

VZCZCXRO2331  
PP RUEHPT  
DE RUEHBY #0240/01 0720706  
ZNR UUUUU ZZH  
P 120706Z MAR 08  
FM AMEMBASSY CANBERRA  
TO RUEHC/SECSTATE WASHDC PRIORITY 9166  
INFO RUEHUL/AMEMBASSY SEOUL PRIORITY 9400  
RUEHWL/AMEMBASSY WELLINGTON PRIORITY 5234  
RUEHBN/AMCONSUL MELBOURNE PRIORITY 5058  
RUEHPT/AMCONSUL PERTH PRIORITY 3341  
RUEHDN/AMCONSUL SYDNEY PRIORITY 3247  
RUEATRS/DEPT OF TREASURY WASHINGTON DC PRIORITY  
RUEAHL/DEPT OF HOMELAND SECURITY CENTER WASHINGTON DC PRIORITY  
RUEAWJA/DEPT OF JUSTICE WASHINGTON DC PRIORITY

UNCLAS SECTION 01 OF 03 CANBERRA 000240

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DEPARTMENT FOR G/TIP, G, INL, DRL, PRM, AND EAP/RSP

E.O. 12958: N/A

TAGS: [ELAB](#) [KCRM](#) [KFRD](#) [KWMN](#) [PHUM](#) [PREF](#) [SMIG](#) [ASEC](#) [AS](#)

SUBJECT: SUPPLEMENTAL TIP QUESTIONNAIRE RESPONSE - AUSTRALIA

REF: A) STATE 2731 B) CANBERRA 210

¶1. (SBU) Below are supplemental responses to the questions posed in ref A, which were initially answered in ref B. The answers correspond to the question numbers in ref A.

#### PART I: OVERVIEW OF ACTIVITIES TO ELIMINATE TRAFFICKING

##### ¶B. Sex Trafficking Arrests

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On March 7, 2008, Australian Federal Police (AFP) arrested a 46-year-old Sydney woman who allegedly headed a people-trafficking syndicate supplying South Korean women to Australian brothels. The woman was arrested along with four other people thought to be linked to the syndicate. The joint operation with the Department of Immigration and Citizenship (DIAC) uncovered an alleged organized sex trafficking trade worth more than AUD \$3 million a year.

Police allege the syndicate recruited women in Korea by deceiving them about the conditions under which they would be employed and then organized their entry into Australia under false pretenses. The syndicate allegedly controlled the women by applying financial pressure, confiscating their travel documents and forcing them to work for up to 20 hours a day in a Sydney brothel owned by the syndicate.

In a press release issued the day of the arrests, the AFP's Tim Morris said the arrests highlighted the way DIAC and the AFP worked together to stamp out the exploitation of those who arrive in Australia seeking work. "This investigation has dismantled a highly organized syndicate and prevented more women from being lured into such terrible circumstances," Assistant Commissioner Morris said. "While the number of trafficking victims in Australia is low, this is a very serious crime and the AFP continues to work with other agencies, including the Korean National Police Agency, to fight trafficking and provide support to victims."

DIAC First Assistant Secretary Lyn O'Connell said "this operation is a good example of cooperation. Where DIAC suspects a person may be trafficked, it refers the matter to the AFP for further assessment." Part of DIAC's preventative strategy against people trafficking is having specialist Senior Migration Officer Compliance (Trafficking) positions located in Bangkok, Beijing and Manila who vet caseloads for fraud that may lead to trafficking. Ms O'Connell said the aim was to prevent these activities at the source. "Where

offenses have occurred in relation to the Migration Act, DIAC will be looking to pursue these matters," she said.

A 46-year-old Greenacre woman was charged with trafficking in persons, debt bondage, deceptively recruiting for sexual services, knowingly conducting a business that involves the sexual servitude of others and dealing with proceeds of crime worth \$1 million or more under the Criminal Code Act 1995. She has also been charged with offenses against the Migration Act.

A 35-year-old Korean woman was charged with trafficking in persons and knowingly conducting a business that involves the sexual servitude of others under the Criminal Code Act 1995. She has also been charged with Migration Act offenses in relation to a fraudulent application for permanent residence or relation to a fraudulent application for permanent residence by arranging a non-genuine marriage to an Australian citizen.

A 42-year-old Hornsby woman was charged with knowingly conducting a business that involves the sexual servitude of others and dealing with proceeds of crime worth \$1 million or more under the Criminal Code Act 1995.

A 28-year-old Ultimo man and a 23-year-old Lidcombe man were charged with knowingly conducting a business that involves the sexual servitude of others and dealing with proceeds of crime worth \$100,000 or more under the Criminal Code Act 1995.

The maximum penalty for the people trafficking offenses is 15 years imprisonment. The maximum penalty for the proceeds of crime offenses is 25 years imprisonment and/or a \$165,000 fine.

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The employer also faces being charged with aggravated offenses under the Migration Act. Penalties for these offenses are five years' imprisonment and fines up to \$33,000 for individuals and \$165,000 per illegal worker for companies.

#### Labor Trafficking Enforcement

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On March 12, 2008, a federal magistrates court in Perth fined construction company Hanssen Pty AUD \$174,000 for exploiting five Irish and Filipino workers who were in Australia temporarily on 457 work visas. The employees were told to sign undated individual work agreements and not given the required information statements that explained their rights. If the employees refused to sign, they were told they would lose their jobs and be sent back home. This was the largest fine ever imposed under the Workplace Relations Act.

#### PART IV: PREVENTION

1G. As part of the Government's anti-people trafficking communications strategy, advertisements encouraging trafficking victims and concerned members of the community to call an AFP hotline have been running in major metropolitan and suburban newspapers since January 2006. The advertisements help prevent the occurrence of people trafficking in the community and are also effective in raising general awareness about sex trafficking and, in turn, reducing its demand.

#### PART V: NOMINATION OF BEST PRACTICES

##### AusAID's Child Protection Policy

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(Note: This policy will be launched on March 27 in Canberra by AusAID. This information cannot be publicly released before this date). The Australian Agency for International Development (AusAID) has introduced a comprehensive child protection policy, covering all aspects of the agency's

operations, and applying both to AusAID staff and to all contractors and non-governmental organizations funded by the agency. The policy, launched in March 2008, was developed to provide a clear overall framework for managing and reducing risks of child abuse by persons engaged in delivering Australian aid program activities.

An innovative aspect of AusAID's child protection policy is the inclusion of mandatory child protection compliance standards for contractors and NGOs. For instance, contracting firms and NGOs must have their own child protection policies, and must obtain criminal record checks for personnel who work with children. AusAID will not knowingly engage anyone who poses an unacceptable risk to children, nor fund any individual or organization that does not meet the child protection compliance standards. Policy compliance will be actively monitored by AusAid.

Other key elements of the policy include enhanced codes of conduct for AusAID officials, updated risk management guidance for designing development activities, strengthened recruitment and screening processes, and mandatory provision of training on child protection matters to AusAID officials posted overseas.

#### Australia's Regional Efforts to Combat Trafficking

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The AFP carries out substantial offshore preventative work in the Asia-Pacific Region to combat people trafficking. Qthe Asia-Pacific Region to combat people trafficking. Working with regional partners, the AFP has conducted training for senior police in the investigation of sexual offenses, gender awareness, and a Code of Conduct for Law Enforcement Officials developed by the Office of the UN High Commissioner for Human Rights. The AFP has developed a specialist investigations training package, dealing with legislation, investigative methodologies, trafficking trends, intelligence targeting and victim liaison.

In September 2007, the AFP conducted an International Management of Serious Crime course in Australia, with Human Trafficking one of the topics, drawing participants from 13

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Asia-Pacific countries for the three-week program.

As Thailand is the primary source country for trafficking victims destined for Australia, AFP members in Bangkok work very closely with the Royal Thai Police Crime Against Child, Juvenile and Woman Suppression Division (RTP CWD) in relation to transnational investigations involving human trafficking and child sex tourism. Capacity building for RTP CWD included a two-week surveillance training program in March 2007, which complemented surveillance equipment previously provided to the unit by the AFP. In recognizing the importance of victim welfare in human trafficking and child sex tourism investigations, AFP Bangkok works closely with the Department of Social Development and Welfare, from the initial referral of suspected victims to the management of victims providing evidence as witnesses in Australian and Thai trials.

The AFP also works closely with DIAC posted agents in Bangkok, Beijing and Manila. AFP Bangkok conducts regular meetings with and provides operational cooperation to other foreign law enforcement representatives to enhance intelligence sharing and investigations into child sex tourism and human trafficking investigations in Thailand.

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